Washington Lead SIP in terms of each requirement in Subpart E. It can be reviewed at the addresss listed earlier. A summary of the lead SIP in terms of the Subpart E requirements is contained in EPA's proposal dated December 30, 1983 (48 FR 57537).

The TED has been revised to describe the new demonstration of attainment for Harbor Island, Seattle, taking into account the cessation of lead emitting operations at the secondary lead smelter. It shows that with the complete cessation of lead smelting, refining and battery breaking at this facility, the area is attaining the lead NAAQS and no additional control measures are necessary to maintain the standard.

III. Final EPA Action

Based on evaluation of WDOE's submittal, EPA approves the revision to the Washington lead SIP.

The public should be advised that this action will be effective on April 1, 1985. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments on any or all of the revisions approved herein, the action on this revision will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action on this revision and another will begin a new rulemaking by announcing a proposal of the action on this revision and establish a comment period.

Pursuant to the provisions of 5 U.S.C. section 605(b), the Administrator has certified that SIP approvals under sections 110 and 172 of the Clean Air Act will not have a significant impact on a substantial number of small entities (46 FR 8709, January 27, 1981). This action constitutes a SIP approval under Section 110 within the terms of the January 27, 1981 certification.

Under section 307(b)(1) of the Act, petition for judicial review of this Action must be filed in the United States Court of Appeals for the appropriate circuit by April 1, 1985. This action may not be challenged later in proceeding to enforce its requirements. (See section 307(b)(2) of the Act.)

Under Executive Order 12291, EPA must judge whether or not a regulation is "major" and therefore subject to the requirements of regulatory impact analysis. This regulation is not judged to be major, since it merely approves actions taken by the state and does not establish any new requirements.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

This notice of final rulemaking is issued under that authority of sections 110 and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a) and 7601).

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons.

Dated: January 22, 1985.

Lee M. Thomas,

Acting Administrator.

Note.—Incorporation by reference of the Implementation Plan for the State of Washington was approved by the Director of the Office of Federal Register in July 1, 1982.

PART 52—[AMENDED]

Part 52 of Chapter I, Title 40 Code of Federal Regulations is amended as follows:

Subpart WW—Washington

In § 52.2470, paragraph (c)(32) is added as follows:

§ 52.2470 Identification of plan.

* * * * * *

(c) * * *

(32) On September 27, 1984 the State of Washington Department of Ecology submitted a revision to the approved lead SIP which revised the demonstration of attainment for the secondary lead smelter in Seattle.

[FR Doc. 85-2049 Filed 1-28-85; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 271

[SW-4-FRL 2765-8]

Florida; Decision on Final Authorization of State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of Final Determination on Florida's Application for Final Authorization.

SUMMARY: Florida has applied for Final Authorization under the Resource Conservation and Recovery Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Florida's application and has reached a final determination that Florida's Hazardous Waste Program satisfies all of the requirements necessary for Final Authorization. Thus, EPA is granting Final Authorization to the State to operate its program.

EFFECTIVE DATE: Final Authorization for Florida, for purposes of judicial review, shall be effective at 1:00 p.m. Eastern time on February 12, 1985.

FOR FURTHER INFORMATION CONTACT: Allan E. Antley, Chief, Waste Planning Section, Residuals Management Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia 30365, (404) 881-3016.

SUPPLEMENTARY INFORMATION: Section 3006 of RCRA allows the EPA to authorize state hazardous waste management programs to operate in the state in lieu of the Federal program. To qualify for Final Authorization, the state's program must (1) be "equivalent" to the Federal program, (2) be consistent with the Federal program and other state programs, and (3) provide for adequate enforcement (Section 3006(b) of RCRA, 42 U.S.C. 6226(b)).

On July 2, 1984, Florida submitted a complete application to obtain Final Authorization to administer a RCRA program. On November 16, 1984, EPA published a tentative decision announcing its intent to grant Florida Final Authorization. Further background on the tentative decision appears at 49 FR 45452, November 16, 1984.

Along with the tentative determination, EPA announced the availability of the State's application for public review and comment, and the date of a public hearing on the application. The public hearing was not held as scheduled on December 18, 1984, since neither EPA nor the Florida Department of Environmental Regulation received significant interest in holding the hearing.

To date, all RCRA hazardous waste management permits in Florida have been issued by the State under the authority granted to the State during interim authorization. Therefore, there will be no change in the status of permits or permitting authority on the effective date of this rule.

Florida is not authorized by the Federal government to operate the RCRA program on Indian Lands and this authority will remain with EPA.

Decision

It is my conclusion that Florida's application for Final Authorization meets all of the regulatory and statutory requirements established by RCRA.

Accordingly, Florida is granted final authorization to operate its hazardous waste management program, subject to the limitations on its authority imposed by the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984) (HSWA). Florida now has responsibility for permitting treatment, storage and disposal facilities within its borders and for carrying out other aspects of the RCRA program.

subject to the HSWA. Florida also has primary enforcement responsibility, although EPA retains the right to conduct inspections under Section 3007 of RCRA and to take enforcement actions under Sections 3008, 3013 and 7003 of RCRA.

Prior to the Hazardous and Solid Waste Amendments amending RCRA, a State with Final Authorization administered its hazardous waste program entirely in lieu of the EPA. The Federal requirements no longer applied in the authorized State, and EPA could not issue permits for any facilities the State was authorized to permit. When new, more stringent Federal requirements were promulgated, or enacted, the State was obligated to enact equivalent authority within specified time frames. New Federal requirements do not take effect in an authorized State until the State adopts the requirements as State law.

In contrast, under newly enacted section 3006(g) of RCRA, 42 U.S.C. 6926(g), the new requirements and prohibitions imposed by the HSWA take effect in authorized States at the same time as they take effect in non-authorized States. EPA is directed to carry out those requirements and prohibitions in authorized States, including the issuance of full or partial permits, until the State is granted authorization to do so. While States must still adopt the HSWA-related provisions as State law, the HSWA applies in authorized States in the interim.

As a result of the HSWA, there will be a dual State/Federal regulatory program in Florida. To the extent the authorized State program is unaffected by the HSWA, the State program will operate in lieu of the Federal program. If the HSWA-related requirements are more stringent than Florida's, EPA will administer and enforce the prohibitions and requirements of the HSWA in Florida until the State receives authorization to do so. Among other things, this may entail the issuance of Federal RCRA permits for those areas in which the State is not yet authorized. Once the State is authorized to implement a HSWA requirement or prohibition, the State program in that area will operate in lieu of the Federal provision. Until that time the State will assist EPA's implementation of the HSWA under a Cooperative Agreement.

Any State requirement that is more stringent than an HSWA provision also remains in effect; thus, the universe of the more stringent provisions in the authorized State program and the HSWA define the applicable requirements in Florida. (Florida is not being authorized now for any requirement implementing the HSWA.)

EPA will be publishing a Federal Register notice that explains in detail the HSWA and its effect on authorized States.

That notice should be referred to for further information. Region IV and Florida are currently reviewing the Memorandum of Agreement (MOA) to revise it to address the requirements of the HSWA. The current MOA provides that Florida shall administer the RCRA program in lieu of EPA and that EPA shall not issue permits in the State. Thus, it is inconsistent with the HSWA and will be revised to reflect EPA's and Florida's respective responsibilities under the new Federal/State regulatory scheme. (Because of the strict statutory time clock for processing final authorization applications, the State and EPA did not have ample time to revise the MOA before EPA's final approval of the State's application.)

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Florida's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Hazardous materials, Indian lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Intergovernmental relations, Penalties, Confidential business information.

Authority: This notice is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended by the RCRA of 1976, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b), EPA delegation 8-7.

Dated: January 4, 1985.

Charles R. Jeter,

Regional Administrator.

[FR Doc. 85-2184 Filed 1-28-85; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-41

[FPMR Amdt. G-71]

Transportation Claims Not Payable by Agencies

AGENCY: Office of the Comptroller, GSA.

ACTION: Final rule.

SUMMARY: This regulation amends the prohibition that agencies not pay supplemental transportation bills (claims) based upon pricing adjustments by excluding those claims based upon single-factor ocean rate adjustments for international household goods shipments. Current regulations list several categories of claims that agencies are precluded from paying. Such claims are submitted to General Services Administration (GSA) for audit and settlement. This change will improve the carrier's cash flow by reducing delays presently encountered because of the present necessity of sending the claims to GSA.

EFFECTIVE DATE: January 29, 1985.

FOR FURTHER INFORMATION CONTACT: John W. Sandfort, Chief, Regulations, Procedures, and Review Branch, Office of Transportation Audits, 202 (FTS) 786-3014.

SUPPLEMENTARY INFORMATION: GSA established the categories of claims outlined in section 101-41.604-2(b) of the Federal Property Management Regulations (FPMR) because it felt that agencies did not have either the tariffs to determine the applicable rates or the transportation expertise to determine the validity of these claims. At the request of an international household goods forwarder, GSA analyzed claims for additional charges based upon single-factor ocean rate adjustments, and concluded that such claims warranted an exception to Section 101-41.604-2(b)(4). This regulation is presented as a final rule, without a prior proposal, because its impact is limited to a small segment of the transportation industry.

GSA has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has

determined that potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101–41

Accounting, Claims, Freight, Freight forwarders, Moving of household goods, Transportation.

PART 101–41—TRANSPORTATION DOCUMENTATION AND AUDIT

Title 41, Part 101–41 of the Code of Federal Regulations is amended as follows:

1. The authority for 41 CFR 101–41 is:

Authority: 31 U.S.C. 3726, and 40 U.S.C. 486(c).

SUBPART 101–41.6—CLAIMS AGAINST THE UNITED STATES RELATING TO TRANSPORTATION SERVICES

2. Section 101–41.604–2 is amended by revising paragraph (b)(4) as follows:

§ 101–41.604–2 Transportation claims not payable by agencies.

* * * * *

(b) * * *

(4) Any pricing adjustment claims for services previously billed and paid, except single-factor ocean rate adjustments (SFORA) on international household goods shipments. Each SFORA claim shall be billed on a separate Public Voucher for Transportation Charges, SF 1113, and the annotation "SFORA claim" shown on the SF 1113.

* * * * *

Dated: January 3, 1985.

Ray Kline,

Acting Administrator of General Services.

[FR Doc. 85–2270 Filed 1–28–85; 8:45 am]

BILLING CODE 6820–AM–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

42 CFR Part 71

Foreign Quarantine

Correction

In FR Doc. 85–872, beginning on page 1516, in the issue of Friday, January 11, 1985, make the following corrections:

1. On page 1519, in the second column, in the table of contents, in "71.44", "Disinfection" should read "Disinsection".

2. On page 1521, in the first column, in § 71.33(c)(2), in the third line, "designation" should read "destination".

BILLING CODE 1505–01–M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 229

[FRA General Docket No. H–80–7]

Locomotive Test Program

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Limited temporary waiver of compliance.

SUMMARY: This document expands a previously granted waiver of compliance with certain provisions of FRA's Locomotive Safety Standards. The initial waiver was granted for a representative group of locomotives to permit a field service test of extended time intervals for the detailed inspection and testing required under existing FRA rules. FRA has decided to continue the test program to obtain more data before proposing a regulatory change and, as an interim measure, to expand that waiver to permit all railroads to benefit from the currently available test data. The expansion of the waiver will allow all locomotives equipped with 26L airbrake equipment to operate for periods not to exceed three years before receiving the detailed inspections required by §§ 229.27 and 229.29.

EFFECTIVE DATE: This expanded waiver is effective February 1, 1985.

FOR FURTHER INFORMATION CONTACT: John A. McNally, Office of Safety, Federal Railroad Administration, 400 Seventh Street SW, Washington, D.C. 20590. Telephone: 202–426–9186.

SUPPLEMENTARY INFORMATION: The Federal Railroad Administration has been considering a proposal for expansion of a limited temporary waiver of compliance with certain provisions of the Locomotive Safety Standards (49 CFR Part 229). The proposed expansion would permit all railroads to benefit from the data gathered so far in the long term study of the safe service life of specific components of locomotive power brake equipment.

Background

When the Locomotive Safety Standards were revised in 1980, FRA noted in the preamble to the final rule that the time interval provisions of §§ 229.27 and 229.29 were not being amended. FRA indicated that the decision to retain the time intervals for the detailed inspection and testing of locomotives was based on the absence of adequate information to determine a more appropriate interval. FRA suggested that a field service test would be needed to obtain the necessary data. After holding a public conference on December 3, 1980, to obtain the views of all interested parties on the proper parameters for such a test, FRA decided to grant waivers of compliance to eight railroads so that approximately 3,800 locomotives could be monitored to obtain information on the safe service life of their air brake equipment. The details of this test program were described in the initial report and order in this proceeding that was published in the **Federal Register** on June 29, 1981 (46 FR 33401).

Test Data

In essence, the test program permits the railroads involved to continue to operate their locomotives without subjecting the air brake equipment to the periodic teardown inspection and testing required by sections 229.27(a)(2) and 229.29(a). If a test unit fails to pass a daily operational check of its brake system, the brake system must be disassembled and the failure mode for that unit established.

The statistical information generated by this daily testing approach clearly indicates that the test locomotives will operate safely and reliably for periods in excess of the two-year interval currently specified in FRA's regulation. Test locomotives that have been in service for nearly four years are failing at a low rate. In addition to monitoring the daily tests, FRA has conducted several random, special inspections to subject locomotives to intensive testing and complete disassembly. Without exception, these special inspections have shown the brake components to be in excellent condition.

Proposed Expansion

On the basis of this test data, the Association of American Railroads (AAR) has requested that FRA expand the scope of the waiver to permit all locomotives equipped with the same type of air brake equipment as that currently being evaluated to operate for periods of up to three years before receiving the inspection and testing required by §§ 229.27(a)(2) and 229.29(a). In addition, AAR has requested that FRA alter the 92-day interval for testing the locomotive air gauges in § 229.25, so that it would coincide with the extended interval for the test components. This change would

involve the test and inspection interval in section 229.25. FRA issued a public notice in the **Federal Register** concerning AAR's request on June 11, 1984 (49 FR 24098) seeking the views of all interested parties on this proposed expansion.

Conclusion

All of the commenters urged FRA to allow the railroads to benefit immediately from the data gathered so far and to continue the test program to obtain more information. Since the test data fully support an extension of the interval for 26L type equipment, FRA has decided to expand the terms of this waiver to permit all railroads to operate locomotives so equipped for periods not to exceed 1,104 days before performing the testing and inspection required by §§ 229.27(a)(2) and 229.29(a). FRA has decided not to grant any waiver of the test and inspection interval for air gauges subject to the 92-day requirement of § 229.25(a). FRA has no data to support such a change since no test information on air gauges has been conducted. In the absence of any technical basis for such a change and given their critical role in the safe operation of a train, FRA does not believe the AAR's proposal is warranted for either the test locomotives or all 26L-equipped locomotives.

FRA's decision to expand the fleet of locomotives operating under the terms of the waiver will (i) permit the initial group of test locomotives to continue to provide additional information on the wisdom of permitting even longer intervals and (ii) assure that adoption of the lengthened interval will not present problems when used on a fleet-wide basis. FRA's decision to permit all 26L equipped locomotives to benefit from this extension of the test and inspection interval, rather than confining the expansion to only locomotives used in freight service, reflects FRA's confidence in the test results obtained to date.

In order to permit all parties to take the necessary steps to implement this new interval for testing and inspection, this waiver will not be effective until February 1, 1985. Any testing or inspection date falling due prior to that date must be adhered to. After that date, all locomotives equipped with 26L style air brake equipment, except the original test locomotives, will not require the testing and inspection provided for in §§ 229.27(a)(2) and 229.29(a) until 1,104 days have elapsed since their last testing and inspection in compliance with those sections. Locomotives equipped with other styles of air brake equipment must continue to comply with the provisions of §§ 229.27(a)(2) and 229.29(a). In granting this waiver of compliance for 26L-equipped locomotives, FRA expressly reserves the right to treat noncompliance with this extended interval as a violation of the regulation. Furthermore, if any indivdual railroad demonstrates a pattern of noncompliance with this expanded interval, FRA expressly reserves the right to revoke this waiver insofar as it applies to that railroad.

Issued in Washington, D.C., on January 22, 1985.

John H. Riley,

Administrator.

[FR Doc. 85-1991 Filed 1-28-85; 8:45 am]

BILLING CODE 4910-06-M

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 83-12; Notice 3]

Lamps, Reflective Devices and Associated Equipment; Correction

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule; correction.

SUMMARY: This notice corrects an error in the amendment published on November 26, 1984 (49 FR 46386) relating to lamps, reflective devices and associated equipment. The error appears in the amendment to Table II and IV. It is therefore necessary to correct the error. The maximum mounting height for headlamps was omitted.

FOR FURTHER INFORMATION CONTACT: Ken Rutland, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590 (202) 426-2154.

SUPPLEMENTARY INFORMATION: In the final rule on harmonization amendments published on November 26, 1984 (49 FR 46386), in amending Tables II and IV to reflect the revised minimum mounting height for headlamps, the maximum height was inadvertently omitted and must now be reinstated. That height is 54 inches.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

§ 571.108 [Amended]

On page 46391, in Tables II and IV of 49 CFR 571.108, Column 4 of each is amended as follows:

Height above road surface measured from center of item on vehicle at curb weight
Column 4
Not less than 22 inches (55.9 cm) nor more than 54 inches (137.2 cm)

The lawyer and program official principally responsible for this correction are Z. Taylor Vinson and Ken Rutland, respectively.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on January 17, 1985.

Barry Felrice,

Associate Administrator, for Rulemaking.

[FR Doc. 85-2139 Filed 1-28-85; 8:45 am]

BILLING CODE 4910-59-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

[Docket No. 50107-5007]

Groundfish of the Gulf of Alaska; Emergency Interim Rule

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule.

SUMMARY: The Secretary of Commerce (Secretary) has determined that an emergency exists in the groundfish fisheries in the Gulf of Alaska. Optimum yields (OYs) of certain species will be fully utilized by U.S. fishermen, preventing fishing by vessels of foreign nations whose catch would include a bycatch of these fully utilized species. The Secretary is establishing amounts of sablefish, Pacific ocean perch, and other rockfish as prohibited species catches (PSCs), which after being taken by foreign fishing vessels will result in foreign fishing closures. This action is necessary to limit the incidental catch of species important to U.S. fishermen and to avoid wastage of large amounts of target groundfish species that would otherwise not be taken if incidental catches in foreign fisheries were to be prohibited. This action is intended to conserve groundfish species that are available in limited amounts while more fully utilizing more abundant species.

EFFECTIVE DATES: In § 611.92, paragraphs (b)(2), (c)(2)(i)(A) and (D), (c)(2)(ii)(B) and (C), (e)(3)(ii), and (f)(2)(i) are suspended from January 24, 1985 until April 24, 1985. New paragraphs (b)(5), (c)(2)(i)(F), (G), and (H), (c)(2)(ii))D), (E), and (F), and (i) are